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TRANSMITTAL FORM

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Total Number of Pages in This Submission

| | |
|------------------------|--------------------------|
| Application Number | 10/822,628 |
| Filing Date | April 12, 2004 |
| First Named Inventor | Gerhard Spitz |
| Art Unit | 3725 |
| Examiner Name | Not Yet Known |
| Attorney Docket Number | LBP-PT038 (20 256 Ka/kw) |

ENCLOSURES (Check all that apply)

| | | |
|--|--|---|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Supplemental Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PTO-1449 with copies of two cited references |
| <input type="checkbox"/> Remarks | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|------------------------|----------|--------|
| Firm Name | VOLPE AND KOENIG, P.C. | | |
| Signature | | | |
| Printed name | Randolph J. Huis | | |
| Date | 10/8/2004 | Reg. No. | 34,626 |

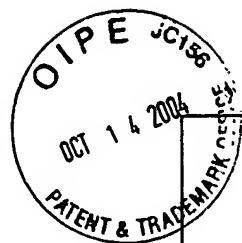
CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

| | | | |
|-----------------------|------------------|------|-----------|
| Signature | | | |
| Typed or printed name | Randolph J. Huis | Date | 10/8/2004 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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|---|----|-----------------|---------|-------------------------------|-------|--------------------------|-------------------------------|----|
| FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) | | | | ATTY. DOCKET NO. LBP-PT038 | | SERIAL NO. 10/822,628 | | |
| | | | | APPLICANT Gerhard Spitz | | | | |
| | | | | FILING DATE April 12, 2004 | | GROUP 3725 | | |
| U.S. PATENT DOCUMENTS | | | | | | | | |
| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE | |
| | AA | 4,603,806 | 08/1986 | Watanabe et al. | | | | |
| | AB | 6,527,056 | 03/2003 | Kenneth R. Newman | | | | |
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| FOREIGN PATENT DOCUMENTS | | | | | | | | |
| | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
| | | | | | | | YES | NO |
| | AC | 0 938 937 | 02/1999 | Europe | | | | X |
| | AD | 0 976 466 | 05/1999 | Europe | | | | X |
| | | | | | | | | |
| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) | | | | | | | | |
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| EXAMINER | DATE CONSIDERED |
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:

Gerhard Spitz

Application No.: 10/822,628

Confirmation No.: 3298

Filed: April 12, 2004

For: METHOD AND DEVICE FOR
PRODUCING A CLOSED METAL PROFILE
OR METAL TUBE WITH WALL THICKNESS
VARYING IN THE LONGITUDAL
DIRECTION

Group: 3725

Examiner: Not Yet Known

Our File: LBP-PT038
(20 256 Ka/kw)

Date: October 8, 2004

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Further to Applicant's Duty of Disclosure pursuant to 37 C.F.R. §1.56, Applicant wishes to bring to the Examiner's attention the material cited on the enclosed PTO-1449 form. Copies of the cited documents are enclosed.

The undersigned certifies that each item of information contained in this Supplemental Disclosure Statement was cited in a European Search Report dated August 5, 2004 in the corresponding European application. A copy of the Search Report is enclosed.

Applicant: Gerhard Spitz
Application No.: 10/822,628

Of the non-English language references cited, EP 0 938 937 was cited as Category A with respect to claims 1 and 11. EP 0 976 466 was also cited as Category A with respect to claims 1 and 11.

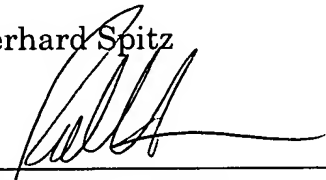
Pursuant to Pre-Official Gazette Notice signed July 11, 2003 waiving the requirements under 37 C.F.R. § 1.98(a)(2)(i) for applications filed after June 30, 2003, copies of the cited U.S. documents have not been included. Copies of all other cited references are enclosed.

It is respectfully requested that the Examiner consider these documents and return an initialed copy of the PTO-1449 form indicating his consideration of the cited materials.

Respectfully submitted,

Gerhard Spitz

By


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RJH/dmm
Enclosures